

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 537, Pages 1 - 4 , Section 67.1850 by removing all of said Section from the
2 bill and inserting in lieu thereof the following:

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4 "67.1850. 1. As used in [this section] sections 67.1850 to 67.1852, the following terms
5 mean:

6 (1) "Community", any municipality or county as defined in this section;

7 (2) "Computer-assisted mass appraisal (CAMA) system", a system that incorporates
8 computer-supported statistical analyses such as multiple regression analysis and adaptive estimation
9 procedure to assist the county assessor in estimating value and its associated data including, but not
10 limited to, all information collected in the process of executing an assessment and equalization
11 maintenance plan as set forth in section 137.115;

12 (3) "County", any county form of government;

13 (4) "County assessor", a county assessor of all second, third, and fourth class counties, and
14 all first class counties without a charter form of government and the assessing officer of the city of
15 St. Louis;

16 [(3)] (5) "Geographical information system", a computerized, spatial coordinate mapping
17 and relational database technology which:

18 (a) Captures, assembles, stores, converts, manages, analyzes, amalgamates and records, in
19 the digital mode, all kinds and types of information and data;

20 (b) Transforms such information and data into intelligence and subsequently retrieves,
21 presents and distributes that intelligence to a user for use in making the intelligent decisions
22 necessary for sound management;

23 [(4)] (6) "Municipality", any city located in any county.

24 2. The development of geographical information systems has not been undertaken in any
25 large-scale and useful way by private enterprise. The use of modern technology can enhance the
26 planning and decision-making processes of communities. The development of geographical
27 information systems is a time-consuming and expensive activity. In the interest of maintaining
28 community governments open and accessible to the public, information gathered by communities for
29 use in a geographical information system, unless properly made a closed record, should be available
30 to the public. However, access to the information in a way by which a person could render the
31 investment of the public in a geographical information system a special benefit to that person, and
32 not to the public, should not be permitted.

33 3. Any community as defined in this section may create a geographical information system
34 for the community. The scope of the geographical information system shall be determined by the
35 governing body of the community. The method of creation, maintenance, use and distribution of the
36 geographical information system shall be determined by the governing body of the community. A

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community shall not mandate the use of this system or allocate the costs of the system to nonusers.

4. The information collected or assimilated by a community for use in a geographical information system shall not be withheld from the public, unless otherwise properly made a closed record of the community as provided by section 610.021. The information collected or assimilated by a community for use in a geographical information system need not be disclosed in a form which may be read or manipulated by computer, absent a license agreement between the community and the person requesting the information.

5. Information collected or assimilated by a community for use in a geographical information system and disclosed in any form, other than in a form which may be read or manipulated by computer, shall be provided for a reasonable fee, as established by section 610.026. A community maintaining a geographical information system shall make maps and other products of the system available to the public. The cost of the map or other product shall not exceed a reasonable fee representing the cost to the community of time, equipment and personnel in the production of the map or other product. A community may license the use of a geographical information system. The total cost of licensing a geographical information system may not exceed the cost, as established by section 610.026, of the:

(1) Cost to the community of time, equipment and personnel in the production of the information in a geographical information system or the production of the geographical information system; and

(2) Cost to the community of the creation, purchase, or other acquisition of the information in a geographical information system or of the geographical information system.

6. The provisions of this section shall not hinder the daily or routine collection of data from the geographical information system by real estate brokers and agents, title collectors, developers, surveyors, utility companies, banks, news media, licensed and certified real estate appraisers, or mortgage companies, nor shall the provisions allow for the charging of fees for the collection of such data exceeding that allowed pursuant to section 610.026. The provisions of this section, however, shall allow a community maintaining a geographical information system to license and establish costs for the use of the system's computer program and computer software, and may also establish costs for the use of computer programs and computer software that provide access to information aggregated with geographic information system information.

7. A community distributing information used in a geographical information system or distributing a geographical information system shall not be liable for any damages which may arise from any error which may exist in the information or the geographical information system."; and

Further amend said bill, Pages 4 to 7, Section 610.021, by removing all of said Section from the bill and inserting in lieu thereof the following:

"67.1852. 1. Data gathered for use in a CAMA system, unless properly made a closed record as provided by section 610.021, shall be available to the public. Access to the data in a method by which an individual or business entity derives a special benefit from such access shall not be permitted.

2. Data collected or assimilated for use in a CAMA system disclosed in any form shall be provided for a reasonable fee, as established by section 610.026. The cost of the data shall not exceed a reasonable fee representing the cost to the county assessor of time, equipment, and personnel in the production of the data.

3. In order to maintain the integrity of the data collected or assimilated for use in a CAMA system, such data shall not be disclosed in a form which may be read or manipulated by computer, absent a license agreement between the county assessor and the person requesting the data. The total

1 cost of licensing the data contained in a CAMA system shall not exceed the cost, as established by
2 section 610.026, of the:

3 (1) Cost to the county assessor of time, equipment, and personnel in the production of the
4 data contained in a CAMA system or production of the CAMA system; and

5 (2) Cost to the county assessor of the creation, purchase, or other acquisition of the data
6 contained in a CAMA system or of the CAMA system.

7 4. The provisions of this section shall not hinder the daily or routine collection of data
8 contained in a CAMA system by real estate brokers and agents, title collectors, developers,
9 surveyors, utility companies, banks, news media, licensed and certified real estate appraisers, or
10 mortgage companies, nor shall the provisions allow for the charging of fees for the collection of such
11 data exceeding that allowed under section 610.026. The provisions of this section shall allow a
12 county assessor maintaining a CAMA system to license and establish costs for the use of the
13 system's computer program and computer software, and may also establish costs for the use of
14 computer programs and computer software that provide access to the data contained in a CAMA
15 system.

16 5. A county assessor distributing data contained in a CAMA system or distributing a CAMA
17 system shall not be liable for any damages which may arise from any error which may exist in the
18 CAMA system or its associated data."; and

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20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.